

REMARKS/ARGUMENTS

Favorable reconsideration of this Application, as presently amended and in light of the following discussion, is respectfully requested.

This Amendment is in response to the Final Office Action mailed on September 15, 2005. Claims 1-13 are pending in the Application, Claims 14-16 stand rejected and Claims 1-13 have been allowed. The indication of allowance of Claims 1-13 is noted with appreciation. Claims 14-16 are cancelled without prejudice or disclaimer by the present Amendment.

Summarizing the outstanding Final Office Action, Claim 14 was rejected under 35 U.S.C. §102(b) as being anticipated by Iwabuchi (U.S. Patent No. 6,454,636); Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Iwabuchi in view of Hatamoto et al. (U.S. Patent No. 6,273,795, hereinafter “Hatamoto”); and Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Iwabuchi in view of Applicant Admitted Prior Art (AAPA).

In view of the allowed subject matter of Claims 1-13, Claims 14-16 have been canceled, thus mooting the above-noted rejections under 35 U.S.C. §§ 102 and 103. Their withdrawal is respectfully requested.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. §1.116, which after a Final Rejection permits entry of amendments placing the claims in condition for allowance or in better form for consideration on appeal.¹ As the present amendment is believed to overcome the outstanding rejections under 35 U.S.C. §§ 102 and 103 and Claims 1-13 have been indicated as allowed, the present amendment places

¹ See, for example, MPEP §714.12.

the application in condition for allowance. It is therefore respectfully requested that 37 C.F.R. § 1.116 be liberally construed, and that the present amendment be entered.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-13 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representatives at the below listed telephone number.

Respectfully submitted,

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